

**CITY OF SOUTH JORDAN**  
**CITY COUNCIL SPECIAL MEETING**  
**COUNCIL WORK ROOM**

**November 9, 2022**

**Present:** Council Member Jason McGuire, Council Member Don Shelton, Council Member Brad Marlor, Council Member Tamara Zander, Council Member Patrick Harris, City Manager Gary Whatcott, Deputy City Manager Dustin Lewis, City Attorney Ryan Loose, Director of Budget and Strategic Services Director Don Tingey, IT Director Jon Day, Fire Chief Chris Dawson, CFO Sunil Naidu, Director of City Commerce Brian Preece, City Recorder Anna Crookston, Strategy and Budget Analyst Abigail Patonai

**Absent:** Mayor Dawn R. Ramsey

**Others:** Sam Bishop

**Before the meeting began, Council Member Shelton motioned to appoint Council Member Tamara Zander as Mayor Pro Tempore. Council Member Marlor seconded the motion; vote was unanimous in favor.**

**5:48 P.M.**

**A. Welcome, Roll Call, and Introduction** – *By Mayor Pro Tempore, Tamara Zander*

Mayor Pro Tempore Zander welcomed everyone to the meeting and shared that the mayor will be joining the meeting shortly.

**B. Invocation** – *By Director of Budget & Strategy, Don Tingey*

Director Tingey offered the invocation.

**C. Dinner Served**

**D. Training:** Open and Public Meetings Act and Ethics.

City Attorney Ryan Loose played a video related to the training on open meetings (Attachment A) and shared an Open and Public Meetings Act Handout (Attachment B).

Council Member Marlor asked if an emergency meeting can be called without the standard public notice.

Attorney Loose said yes, they just need to give as much notice as reasonably possible in the situation. He discussed prior times when an emergency meeting was called, specifically referencing the emergency meeting called to deal with the McManagle house on July 24. All of the council members were summoned to a virtual meeting where staff explained the situation and got the council's feedback.

Mayor Pro Tempore Zander said she knows they have to give notice on the city website, but what else would they do before an emergency meeting.

Attorney Loose responded that if they can get a hold of the City Recorder, they will have it put on the public notice website; they will essentially put it anywhere they reasonably can.

City Recorder Anna Crookston said that as part of the Utah Public Notice Website, there is an emergency meeting option to choose; during an audit it would show the reason for giving less than a 24 hour notice was because it was an emergency meeting.

Mayor Pro Tempore Zander asked who deems it an emergency.

Attorney Loose responded that the council would. Staff would reach out to the council members and say they want to have an emergency meeting because of a specific reason, and then the council would decide whether or not that meeting needs to happen.

Mayor Pro Tempore Zander asked about a situation where someone proposes an emergency meeting, and three of the five council members don't agree that the situation is an emergency warranting a meeting.

Attorney Loose responded that there would be no meeting.

Mayor Pro Tempore Zander asked how that vote would be taken.

Attorney Loose responded that they might send out a text, email, or they might call the council members; they will do whatever they can to get a hold of each person. If there is an event that takes down cell towers, they might send someone to their homes. He then moved on to discussing ethics and gave everyone an Ethics Handout (Attachment C) and a Code of Ethics Policy Handout (Attachment D).

Mayor Pro Tempore Zander asked where the information is stored once they sign the disclosures, and how the public accesses it.

Recorder Crookston responded that the administrators for each department sends it out to their employees, she then attests to each one that comes in after the employee has filled it out and signed it. If they have listed potential conflicts, she has a spreadsheet where she tracks those individual employees with a listing of the potential conflict(s). Those are stored with the city recorder for six years. It is the same with the elected officials' disclosures.

Council Member Zander asked if the public can access those records.

Recorder Crookston responded that they can through a GRAMA request.

Attorney Loose noted that it was brought up at a recent study session that at one point in time, the council chose not to have ex-parte or individual communications in a nonpublic area with developers. A few years ago the council chose to take that out, and that allowed the council members to be lobbied. If there is anything above and beyond the state laws that the council wishes to hold themselves to in terms of ethics which can be done with a resolution. Also, the council members should be holding each other responsible. If something inappropriate or illegal is done by a council member, the other members of the council are responsible for calling that out and taking appropriate action.

Council Member Harris asked if there was anything in the current code of ethics that staff feels needs to be changed or discussed.

Attorney Loose responded he didn't see anything, and Deputy City Manager Dustin Lewis didn't have anything to suggest and offered to email each council member a copy of the current code of ethics. Attorney Loose then moved on to discuss the city's hotline, which has had only one call so far which was to report prescription fraud, and was not something the hotline would handle. The call was routed to his office and they were able to route it to the appropriate parties for further action.

**Council Member McGuire motioned to recess the City Council Special Meeting and move to Executive Closed Session. Council Member Shelton seconded the motion; vote was unanimous in favor.**

*RECESS CITY COUNCIL SPECIAL MEETING AND MOVE TO EXECUTIVE CLOSED SESSION*

**E. Executive Closed Sessions**

**E.1. Litigation**

**E.2. Property**

*RECESS EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL SPECIAL MEETING*

**Council Member Marlor motioned to adjourn the Executive Closed Session and return to the City Council Special Meeting. Council Member Shelton seconded the motion; vote was unanimous in favor.**

Manager Lewis asked if December 14 works for everyone's schedules to have the next Special Meeting.

The council discussed times and everyone agreed on 5:00 p.m. for the meeting.

The council and staff discussed some of the items planned for that agenda and what is needed from everyone before that meeting.

**Council Member McGuire motioned to adjourn the City Council Special Meeting. Council Member Harris seconded the motion; vote was unanimous in favor.**

**ADJOURNMENT**

**The City Council Special Meeting ended at 8:59 P.M.**